

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RUDOLPH'S INC.	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2004-00001
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
	)	
DEFENDANT	)	

O R D E R

Rudolph's Inc. ("Rudolph's") has moved to withdraw without prejudice its complaint in this matter. In support of its motion Rudolph's states that BellSouth Telecommunications, Inc. is in the process of upgrading the telephone line that is the subject matter in dispute in this complaint proceeding and that the upgrade should resolve this complaint. Rudolph's further requests that, if the upgrade does not satisfactorily resolve its concerns, it be allowed to refile its complaint.

After reviewing the motion and being otherwise sufficiently advised, the Commission finds that good cause exists to grant Rudolph's motion to withdraw without prejudice. The Commission further finds that the informal conference scheduled in this matter should be cancelled.

IT IS THEREFORE ORDERED that:

1. Rudolph's motion to withdraw without prejudice is granted and this case is removed from the Commission's docket.
2. The March 18, 2004 informal conference is cancelled.

3. Qwest Communications Corporation's March 16, 2004 motion for an extension of time is denied as moot.

Done at Frankfort, Kentucky, this 17th day of March, 2004.

By the Commission

ATTEST:

  
Executive Director

Case No. 2004-00001